

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE  
COMMISSION

In the Matter of:

APPLICATION OF LOUISVILLE GAS AND )  
ELECTRIC COMPANY AND KENTUCKY )  
UTILITIES COMPANY FOR AUTHORITY ) CASE NO. 2005-00471  
TO TRANSFER FUNCTIONAL CONTROL )  
OF THEIR TRANSMISSION SYSTEM )

**JOINT MOTION FOR LEAVE TO FILE AN AMENDED APPLICATION,  
WITHDRAW PREVIOUS TESTIMONY AND FILE REPLACEMENT TESTIMONY**

Pursuant to 807 KAR 5:001, Section 3(5), Louisville Gas and Electric Company (“LG&E”) and Kentucky Utilities Company (“KU,” collectively, the “Companies”) hereby move the Kentucky Public Service Commission (“Commission”) to issue an order granting leave to amend their Second Amended Joint Application, withdraw testimony previously filed, and file replacement testimony in this proceeding to reflect that the Commission’s May 31, 2006 Order in Case No. 2003-00266. As grounds for their Joint Motion, the Companies state as follows:

On November 18, 2005, the Companies filed their Joint Application and supporting testimony with the Commission, seeking authority to withdraw from membership in the Midwest Independent Transmission System Operator, Inc. (“MISO”).

On March 17, 2006, the Federal Energy Regulatory Commission (“FERC”) issued an order conditionally authorizing the Companies to exit MISO.<sup>1</sup> On May 31, 2006, the Commission issued a final order in Case No. 2003-00266, *In the Matter of: Investigation into the Membership of Louisville Gas and Electric Company and Kentucky Utilities Company in the Midwest Independent Transmission System Operator*, authorizing the Companies to exit MISO.

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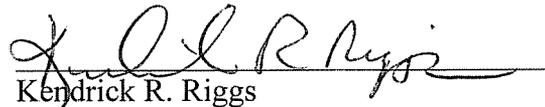
<sup>1</sup> *Louisville Gas and Electric Company et al.*, Docket Nos. EC06-4-000 *et al.*, Order (March 17, 2006).

Thus, since the Companies first filed their Application in this proceeding, both the Commission and FERC have authorized the Companies to withdraw from MISO membership, an issue that should no longer be before the Commission in this proceeding.

**WHEREFORE**, Louisville Gas and Electric Company and Kentucky Utilities Company respectfully request that the Commission enter an order granting the Companies leave to amend their Joint Application, withdraw all previously filed testimony, and submit replacement testimony, all as set forth herein. The Third Amended Joint Application and replacement testimony are tendered with this motion.

Dated: June 14, 2006

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that an original and ten copies of this Joint Motion was hand delivered on the 14th day of June 2006 to Elizabeth O'Donnell, Executive Director, Kentucky Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601, and that a copy of this motion was mailed to:

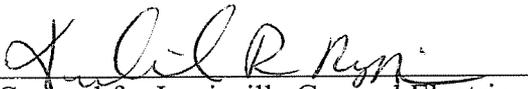
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